

Message Text

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ORIGIN EA-14

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DRAFTED BY EA/VN:RJROSENBERG:AOA

12/17/73 EXT. 29403

APPROVED BY EA:M. STEARNS

EA/VN:R.H.WENZEL

EUR:RFHOPPER

IO/UNP:CSCHALLER

NEA/IRN:MAMICHAUD

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FM SECSTATE WASHDC

TO AMEMBASSY LONDON PRIORITY

AMEMBASSY MOSCOW PRIORITY

USLO PEKING PRIORITY

AMEMBASSY JAKARTA PRIORITY

AMEMBASSY BUDAPEST PRIORITY

AMEMBASSY WARSAW PRIORITY

AMEMBASSY TEHRAN PRIORITY

AMEMBASSY PARIS PRIORITY

USMISSION USUN NEW YORK PRIORITY

INFO AMEMBASSY SAIGON PRIORITY

USDEL JEC PARIS PRIORITY

C O N F I D E N T I A L STATE 246200

E.O. 11652: GDS

TAGS: MOPS, MARR, VS

SUBJECT: DRV VIOLATIONS OF PARIS AGREEMENT

1. FOLLOWING IN PARA 3 BELOW IS TEXT OF US NOTE DATED
DECEMBER 15, 1973 TO DEMOCRATIC REPUBLIC OF VIET-NAM ON
COMMUNIST AMBUSH OF FPJMT HELICOPTERS.

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2. REQUEST YOU CONVEY AS SOON AS POSSIBLE TO HOST GOVERNMENTS AND UNSYG UNDER FOLLOWING COVER NOTE:

BEGIN TEXT: COMPLIMENTARY OPENING..AND HAS THE HONOR TO REFER TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIET-NAM, SIGNED AT PARIS JANUARY 27, 1973, AND TO THE ACT OF THE INTERNATIONAL CONFERENCE ON VIET-NAM, SIGNED AT PARIS ON MARCH 2, 1973.

IN ACCORDANCE WITH ARTICLE 6 OF THE ACT, (BLANK) HAS THE HONOR TO ENCLOSE THE TEXT OF A NOTE DATED DECEMBER 15, 1973, FROM THE DEPARTMENT OF STATE OF THE UNITED STATES OF AMERICA TO THE MINISTRY OF FOREIGN AFFAIRS OF THE DEMOCRATIC REPUBLIC OF VIET-NAM ON THE SUBJECT OF COMMUNIST ATTACK ON HELICOPTERS OF THE FOUR PARTY JOINT MILITARY TEAM ON DECEMBER 15, 1973.

COMPLIMENTARY CLOSING. END TEXT.

3. TEXT OF US NOTE TO DRV:

QUOTE THE DEPARTMENT OF STATE OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO THE MINISTRY OF FOREIGN AFFAIRS OF THE DEMOCRATIC REPUBLIC OF VIET-NAM AND HAS THE HONOR TO REFER TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIET-NAM OF JANUARY 27, 1973.

ON DECEMBER 15, 1973, COMMUNIST FORCES ATTACKED THREE UNARMED HELICOPTERS OF THE FOUR PARTY JOINT MILITARY TEAM (FPJMT) IN BINH CHANH DISTRICT, GIA-DINH PROVINCE OF THE REPUBLIC OF VIET-NAM. THIS ATTACK RESULTED IN THE DESTRUCTION OF ONE HELICOPTER, THE DEATH OF ONE AMERICAN AND ONE VIETNAMESE AND THE WOUNDING OF SEVERAL AMERICANS AND VIETNAMESE IN THE PARTY. THESE HELICOPTERS AND PERSONNEL WERE ENGAGED IN THE SEARCH FOR MISSING PERSONNEL, A HUMANITARIAN MISSION SPECIFICALLY AUTHORIZED BY THE AGREEMENT. THE HELICOPTERS WERE CLEARLY MARKED IN ORANGE, THE COLOR DESIGNATING THEM AS FPJMT VEHICLES. AS IS CUSTOMARY, THE COMMUNIST SIDE HAD BEEN NOTIFIED IN ADVANCE OF THE DETAILS OF THIS SEARCH MISSION AND HAD BEEN INVITED TO PARTICIPATE.

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THE UNITED STATES CONDEMNS IN STRONGEST TERMS THIS UNPROVOKED ACT BY THE COMMUNIST SIDE AND DEPLORES THE UNNECESSARY LOSS OF LIFE WHICH HAS RESULTED. THE UNITED STATES IS GRAVELY CONCERNED OVER THIS LATEST CONTEMPTIBLE VIOLATION OF THE AGREEMENT BY THE COMMUNIST SIDE. THE UNITED STATES NOTES THAT THE COMMUNIST SIDE HAS CONSISTENTLY ADOPTED A CALLOUS ATTITUDE TOWARD THE PROVISIONS OF

THE AGREEMENT THAT CALL FOR A FULL ACCOUNTING OF THE MISSING-IN-ACTION. NOW, NOT CONTENT WITH OBSTRUCTING THE IMPLEMENTATION OF THOSE PROVISIONS THROUGH ITS INDIFFERENCE AND TOTAL LACK OF COOPERATION, THE COMMUNIST SIDE HAS AGAIN RESORTED TO CRIMINAL ACTS TO PREVENT THEIR IMPLEMENTATION.

THE UNITED STATES URGES THE DEMOCRATIC REPUBLIC OF VIET-NAM TO PROMPTLY IDENTIFY AND PUNISH THOSE ON ITS SIDE WHO WERE RESPONSIBLE FOR THE DEPLORABLE ATTACK IN GIA DINH. BEYOND THAT, THE UNITED STATES ONCE AGAIN CALLS ON THE DEMOCRATIC REPUBLIC OF VIET-NAM TO FULFILL ITS UNDERTAKINGS AS SPECIFIED IN THE AGREEMENT AND TO DEMONSTRATE IN REAL TERMS ITS COOPERATION IN ACCOUNTING FOR THE MISSING-IN-ACTION. THE DEMOCRATIC REPUBLIC OF VIET-NAM WILL RECOGNIZE CLEARLY THE GRAVE RESPONSIBILITIES IT HAS IN THIS MATTER. END QUOTE. RUSH

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